

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**CLARENDON NATIONAL INSURANCE
COMPANY,**

No. C05-02143 MJJ

Plaintiff,

v.

DOUGHERTY ET AL.

Defendant.

ORDER OF CONDITIONAL DISMISSAL

11 The parties hereto, by their counsel, having advised the Court that they have agreed to a
12 settlement of this case.

13 IT IS HEREBY ORDERED that this case be dismissed without prejudice; provided,
14 however, that if any party hereto shall certify to this Court, within ninety days, with proof of service
15 of a copy thereon on opposing counsel, that the agreed consideration for said settlement has not been
16 delivered over, the foregoing Order shall stand vacated and this case shall forthwith be restored to
17 the calendar to be set for trial.

19 || Dated: 1/18/2006

Martin J. Jenkins
MARTIN J. JENKINS
United States District Judge